

# WARREN COUNTY BOARD OF SUPERVISORS

## COMMITTEE: PUBLIC WORKS

DATE: JULY 28, 2009

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### COMMITTEE MEMBERS PRESENT:

SUPERVISORS BELDEN  
BENTLEY  
TESSIER  
STEC  
MERLINO  
CHAMPAGNE  
TAYLOR  
GOODSPEED  
PITKIN

### OTHERS PRESENT:

WILLIAM LAMY, SUPERINTENDENT OF PUBLIC WORKS  
JEFFREY TENNYSON, DEPUTY SUPERINTENDENT OF ENGINEERING  
DON DEGRAW, AIRPORT MANAGER  
PAUL BUTLER, DIRECTOR OF PARKS, RECREATION & RAILROAD  
FREDERICK MONROE, CHAIRMAN OF THE BOARD  
PAUL DUSEK, COUNTY ATTORNEY  
HAL PAYNE, COMMISSIONER OF ADMINISTRATIVE & FISCAL SERVICES  
JOANN MCKINSTRY, DEPUTY COMMISSIONER OF ADMINISTRATIVE &  
FISCAL SERVICES  
JOAN SADY, CLERK OF THE BOARD  
KEVIN GERAGHTY, BUDGET OFFICER  
SUPERVISORS STRAINER  
THOMAS  
BRIAN LAFLURE, FIRE COORDINATOR/DIRECTOR, OFFICE OF EMERGENCY  
SERVICES  
JUDY JOHNSON, FISCAL MANAGER, DEPARTMENT OF PUBLIC WORKS  
AMANDA ALLEN, SR. LEGISLATIVE OFFICE SPECIALIST

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Mr. Belden called the meeting of the Public Works Committee to order at 9:30 a.m.

Motion was made by Mr. Taylor, seconded by Mr. Champagne and carried unanimously to approve the minutes from the June 30, 2009 Committee meeting, subject to correction by the Clerk of the Board.

Mr. Belden began the meeting with the presentation of a Certificate of Appreciation to Judy Johnson, DPW Fiscal Manager, in light of her impending retirement. He commended her for the accomplishments made over her 29-year career with the County and thanked her for the outstanding efforts she had provided in managing the fiscal affairs associated with the DPW and in developing the annual budget. Mr. Belden stated that he was sorry to see Ms. Johnson leave the County's employ as they were losing a valuable employee; however, he said, he wished Ms. Johnson the best in her retirement. William Lamy, Superintendent of Public Works, said that Ms. Johnson had served as Fiscal Manager through three different DPW administrations, during which time the Department had changed and grown to include additional divisions and duties. He added that Ms. Johnson had successfully managed the fiscal affairs of the DPW divisions throughout those changing times and he commended her for the outstanding effort she had put forth. Mr. Lamy thanked Ms. Johnson for the services and support she had provided during her County career and extended his best wishes during her retirement. Ms. Johnson responded by thanking Messrs. Belden and Lamy for their kind words along with the rest of the Committee for honoring her with the Certificate of Appreciation. The Committee members responded with applause.

Privilege of the floor was extended to Don DeGraw, Airport Manager, who distributed copies of the Airport Agenda to the Committee members; *a copy of the Airport Agenda is also on file with the minutes.*

Mr. DeGraw advised that Agenda Item 2 referred to a presentation by Mike McCarthy of the Adirondack Balloon

Festival Committee; however, he noted, since Mr. McCarthy had been unable to attend the meeting, this item would not be addressed.

Continuing to Agenda Item 3, Mr. DeGraw presented a request to authorize the Chairman of the Board to execute the updated Airport Layout Plan, contingent upon FAA (Federal Aviation Administration) approval. He reminded the Committee members that they had approved a similar request at their prior meeting but noted that when the Airport Layout Plan was submitted for FAA approval, the FAA had determined that a portion of the Plan had to be revised in connection with the areas of protected airspace around the Airport. Mr. DeGraw explained that the original Airport Layout Plan had listed "To Be Determined" as the course of recommended action for many of the obstructions to protected airspace and the FAA had requested that a more definitive course be determined. He said that they had subsequently agreed to change the Airport Layout Plan to reflect "Remove" for most of the actual penetrations to protected airspace. Mr. DeGraw apprised that he had spoken with the Town of Queensbury Supervisors to advise of this issue as most of the tree removal would affect the Chestnut Ridge Road residents in the Town of Queensbury. He noted that these were recommended actions only and it did not necessarily mean that the tree removal would be acted upon; he added that the revised Airport Layout Plan advised the FAA that the County acknowledged the existence of penetrations to the lowest levels of protected airspace and that a potential course of action had been determined. Mr. DeGraw stated that the penetrations to protected airspace had prevented the Airport Layout Plan from receiving FAA approval over the past ten years. He said that they had already rectified the issues with penetrations to the highest level of protected airspace which would avoid any loss of runway length, as had been an issue in the past.

Motion was made by Mr. Bentley, seconded by Mr. Tessier and carried unanimously to approve the request to authorize the Chairman of the Board to execute the amended Airport Layout Plan, contingent upon FAA approval, and the necessary resolution was authorized for the August 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. DeGraw advised that Agenda Item 4 consisted of a request to authorize the Chairman of the Board to execute any and all documentation associated with the State SEQRA (State Environmental Quality Review Act) process required in connection with acquisition of a land easement from Forest Enterprises and for the tree topping project.

Motion was made by Mr. Tessier, seconded by Mr. Taylor and carried unanimously to approve the previously mentioned request and the necessary resolution was authorized for the August 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. DeGraw presented Agenda Item 5 which referred to a request to establish a capital project in the amount of \$339,662 which would be named Environmental Assessment and Preliminary Engineering for Runway 1 Extension. He noted that the number for the capital project would be determined at a later date by the Treasurer's Office.

Motion was made by Mr. Goodspeed, seconded by Mr. Stec and carried unanimously to approve the request to establish a capital project as outlined above and refer same to the Finance Committee. *A copy of the request is on file with the minutes. (Subsequent to the meeting, the Capital Project number was determined to be H303.9550 280 - Runway 1-19 Environmental Assessment and Preliminary Engineering.)*

Continuing to Agenda Item 6, Mr. DeGraw reminded the Committee members that grant funding in the amount of \$600,000 had been previously received to construct a taxiway to an apron area for future development of t-hangars. He apprised that the project was approximately 80% complete and that they were currently waiting for a break in the rainy weather in order to do the paving work. Mr. DeGraw said that during the project they had

found some areas under the previously paved area that required additional attention and at a future Committee meeting he would present a change order for approximately \$20,000 to address the additional expenses incurred for this work. He noted that the change order would be funded through the grant, aside from the 10% Local Share which was available within the existing budget. Mr. DeGraw stated that Rich Schermerhorn, FBO (Fixed Base Operator), had indicated that he was interested in constructing t-hangars in this area and he expected to present the Committee with requests for such during the upcoming fall season.

Mr. DeGraw announced that Agenda Item 7 referred to an information update on grant funding. He explained that he had recently received information which indicated that the County was in a good position to receive grant funding through Congressman Scott Murphy which the Warren County Economic Development Corporation (EDC) had applied for. Mr. DeGraw said that the grant funding was in the amount of \$850,000; \$800,000 of which would be used for the Runway Extension Project, while the remaining \$50,000 would be used to perform a feasibility study for the construction of an industrial park on the northwest corner of the Airport property for the EDC.

Mr. Belden questioned whether the County would be required to provide a Local Share in connection with these grant funds and Mr. DeGraw replied that although it had not been confirmed, he anticipated a 2.5% Local Share. Mr. Taylor asked what the total cost for the Runway Extension Project was and Mr. DeGraw replied that it would total \$4 million for construction costs and he anticipated that an additional \$1 million would be incurred for permitting, design and engineering costs.

When questioned as to what would be accomplished by the Runway Extension Project, Mr. DeGraw apprised that the additional 1,000 ft. of runway space would allow aircrafts to operate at their maximum potential by increasing the amount of fuel that could be purchased before leaving the Airport, thereby allowing them to travel for longer distances before stopping to re-fuel. He added that this would serve as a considerable increase in fuel sales at the Airport. Secondly, Mr. DeGraw stated that the elongated runway would allow for safer landings and take-offs during inclement weather. He advised that the extension would theoretically allow for leaving planes to lift off 1,000 ft. shorter from the north end of the runway than they normally would which would put them much higher over the most populated residential area, Chestnut Ridge Road, which meant less noise exposure for area residents.

Mr. Belden asked what the status of the self-fueling facility being installed by Mr. Schermerhorn was and Mr. DeGraw replied that the project plans had been approved and they were awaiting the arrival of the installation company that would be constructing the facility. Mr. DeGraw added that the installation company Mr. Schermerhorn had hired was very highly recommended and because their services were in great demand, it was taking longer than previously anticipated to complete the work. He noted that the delays in the completion of the project were through no fault of Mr. Schermerhorn and that he anticipated the construction of the self-fueling facility would be completed very quickly once the installation company arrived.

Resuming the agenda review with Item 8, Mr. DeGraw announced that Assemblywoman Teresa Sayward would be visiting the Airport on August 4<sup>th</sup> at 10:00 a.m. He said that he intended to provide a powerpoint presentation regarding activities at the Airport and hoped that the FBO would provide a similar report before they embarked on a tour of the facility. Mr. DeGraw stated that any of the Committee members interested in taking part in the meeting were welcome to attend.

Concluding the agenda review Mr. DeGraw addressed Item 9, consisting of a listing of referral items which he outlined as follows:

1. No update was provided on the legal action authorized by the Committee to determine the validity of an easement on the Chartrand parcel;

2. The status of the self-fueling facility being constructed by Rich Air was discussed earlier in the meeting;
3. Mr. DeGraw advised that he had left a message with the County Attorney's Office regarding the legality of leasing Airport property to Mr. Schermerhorn for construction of a new stand-alone restaurant but had not received a response prior to the Committee meeting.

As there was no further Airport business to discuss, privilege of the floor was extended to Mr. Lamy to begin the Solid Waste & Recycling portion of the Committee meeting.

Mr. Lamy advised that this portion of the meeting would be very short as he had only one informational item to present. He apprised that the Solid Waste Task Force had met during the prior week to discuss the responses to the RFP (request for proposal) released for the preparation of the Solid Waste Management Plan. Mr. Lamy said that as a result, a second meeting had been scheduled for the following week with one of the responders to the RFP. He added that the Solid Waste Task Force was trying to determine how much of the Solid Waste Management Plan could be authorized in-house and if there was a need to contract with a private party for services to determine an exit strategy for the Burn Plant, as well as to arrive at a cost figure for both. Mr. Lamy stated that the meeting of the Solid Waste Task Force had been scheduled for 9:30 a.m. on August 5<sup>th</sup>, with a special meeting of the Public Works Committee to be held at 11:00 a.m. on the same day.

Mr. Champagne apprised that in preparation for discussions on responses to the RFP, he had asked Hal Payne, Commissioner of Administrative & Fiscal Services, to prepare a document representing the specifics of the Solid Waste Management Plan. He said that reviewing this document would assist the Committee in determining which parties would be responsible for certain portions of the Plan, when the work would be completed and the total cost for the project reflected. Mr. Champagne concluded that by making this documentation available for the Task Force's review, it would be easier to make a decision as to which direction they should proceed in.

Chairman Monroe stated that the goal of the Solid Waste Task Force was to gather information for presentation to the Public Works Committee so that they could make an educated decision on the matter. He said that he felt the Task Force was moving in the right direction to make their selection in a timely manner as the deadline for notice to Wheelabrator on the closure of the burn plan was quickly approaching.

Mr. Thomas entered the meeting at 9:48 a.m.

As there was no further Solid Waste & Recycling business to present, Mr. Belden announced that they would begin the DPW portion of the meeting. Mr. Lamy distributed copies of the DPW agenda to the Committee members, a copy of which is on file with the minutes.

Prior to commencing with the review of the DPW agenda, Mr. Belden pointed out that Brian LaFlure, Director of the Office of Emergency Services (OES)/Fire Coordinator, was in attendance to address a referral from the Public Safety Committee regarding the naming of a Hazard Mitigation Coordinator.

Mr. LaFlure advised that the Hazard Mitigation Plan was underway, which was a three-year grant funded project that they were currently one-year through, and although he had no issue with running the plan through his Department as they were currently, the issue was that the Plan called for an individual to be officially named as the Hazard Mitigation Coordinator. He said that this person should have the proper training and be listed as the person being responsible for hazard mitigation. Mr. LaFlure stated that in the event of a disaster or major issue, both himself and his staff members would already be committed to a number of relief efforts and would not be available

to serve as the Hazard Mitigation Coordinator; in addition, he noted, the person chosen to be the Hazard Mitigation Coordinator should have an engineering background. He said that he was not trying to reduce his Office's workload but he thought the County needed to list a person as Hazard Mitigation Coordinator and he did not feel that himself or his staff had the proper training or experience to fill the position and the County would be well served by someone with an engineering background. Mr. LaFlure said that this was not something that needed to be done immediately; however, it was something that should be addressed as they needed to designate someone for the position in the event of a disastrous occurrence. He concluded that at the Public Safety Committee meeting it had been suggested that the issue be referred to the Public Works Committee, as the DPW had several staff members with engineering backgrounds who could fill the position.

Mr. Belden asked if the Hazard Mitigation Coordinator would take over the administration of the grant process and Mr. LaFlure replied in the negative, explaining that the Coordinator would serve as the County's contact person in the event of an emergency. Mr. Belden then questioned if this would be a full-time position and Mr. LaFlure said that it would not.

When questioned as to the duties of the Hazard Mitigation Coordinator, Mr. LaFlure advised that this person would serve as a contact person in the event of an emergency and would also assist in the coordination of relief efforts with FEMA (Federal Emergency Management Association) and SEMO (State Emergency Management Organization) and would ensure that all documentation and grant agreements were completed properly. In addition he advised that this person would work to make sure that the Towns were aware of all grant and assistance opportunities available to them. Mr. LaFlure apprised that there was a great deal of funding available which could be accessed once the Hazard Mitigation Plan was completed. He added that disasters and emergencies occurring in other areas typically opened up opportunities for other areas which could be accessed if similar hazards were noted in the Hazard Mitigation Plan and this person would be responsible for accessing them also.

Mr. Lamy acknowledged that a now retired member of the DPW staff had previously been named as the Hazard Mitigation Coordinator; however, he said, when the decision had been made to form the OES they had decided that these activities should be included in the newly formed Department and the position had been transferred to the OES at that point. In transferring the position, Mr. Lamy reminded the Committee that he had relinquished two staff members, a computer and a fleet vehicle to support the position within the OES and now it appeared that the workload would be returning to his Department regardless of the staff and equipment that had been given up. He said that although he had always considered his Department to be a part of this operation, he did not foresee them serving as the main coordinator as the DPW would not respond to all emergency occurrences. For example, Mr. Lamy stated, the DPW would respond in the event of a flooding disaster or road failure; however, he said, they would not respond to a chemical spill or an explosion. He concluded that the crux of the issue was that although the position should remain with the OES, the Department was understaffed and could not handle the workload provided to them.

Discussion ensued.

Mr. Stec reminded the Committee members that one of the pending items for the DPW pertained to the introduction of a Stormwater Management Officer position, the costs of which would be split between the County, City of Glens Falls and the Town of Queensbury. He said that a split between the three Municipalities had been proposed as this was not considered to be a full-time position for any one entity and he suggested that the duties of the Hazard Mitigation Coordinator might be combined with that of the Stormwater Management Officer to form one full-time position.

As the Committee was in agreement with Mr. Stec's suggestion, it was determined that the matter should be added to the DPW's listing of pending items for further discussion and consideration at the next Committee meeting.

Commencing with the review of the DPW Agenda, Mr. Lamy noted that the first New Business item, referring to Ms. Johnson's retirement, had already been addressed. Moving on, he provided an update on funding reimbursements for Federal and State Aid projects. Mr. Lamy apprised that at the July 8<sup>th</sup> Finance Committee meeting the Treasurer's Office had indicated that they were experiencing some issues with the timely submission of reimbursement documentation from the DPW. He said that he and his staff had since held follow-up meetings and conversations with the Treasurer's Office to resolve these issues and the submission of reimbursements for grant projects was now happening in a timely fashion. Mr. Lamy advised that they had also spent a considerable amount of time discussing future cash flow issues which could potentially occur in connection with the construction of the Milton Street Bridge and Corinth Road Projects, both of which were likely to have a severe impact on the County's cash flow as the County would be paying the initial costs associated with the Projects and subsequently seeking Federal and State reimbursement. He said that they had also discussed the steps that should be taken to ensure that reimbursements were sought in a timely fashion to minimize the effects on the County Budget. Mr. Lamy stated that these meetings had been very productive and he had come away with an understanding of the necessities; he added that he would keep the Committee apprised of these issues as the Projects progressed.

Mr. Strainer and Paul Butler, Director of Parks, Recreation & Railroad, entered the meeting at 10:23 a.m.

Discussion ensued.

Chairman Monroe noted that they should keep the Treasurer's Office informed when instances such as these arose so that they could be sure that sufficient funding was available to cover payroll costs. Mr. Lamy stated that the situation was not as grave as what had been portrayed at the Finance Committee meeting.

Mr. Lamy announced that the next New Business item referred to overtime used. He said that he had recently received an email from Mr. Payne which noted that overtime use should be limited and that the Public Works Committee should be advised of any overtime costs incurred and the reasons for their necessity. Mr. Lamy advised that in reviewing the overtime report he had found that the DPW had utilized less overtime thus far in 2009 than they had in 2008. He noted that there were instances when overtime was necessary in connection with paving projects and the decisions for using overtime were made on a case-by-case basis depending on whether they needed to move on to other paving projects or if was more sensible to return to the project for another day. Mr. Lamy apprised that during the month of July, for the payroll period ending July 19<sup>th</sup>, 53 hours of overtime had been used and had been charged to the appropriate paving projects; he added that he had not received a breakdown of overtime to reflect whether the overtime was incurred while working on a County or Town paving project.

Other overtime events occurred within the realm of the Public Works Department, Mr. Lamy explained, such as response to events at the fairgrounds by Parks, Recreation & Railroad staff which required water testing, and had incurred a total of 11 overtime hours between two employees. He further explained that a member of his staff had incurred 1.2 hours of overtime in responding to an issue with a downed traffic sign and a highway construction foreman had incurred overtime in responding to two separate calls on a Sunday for fallen trees. Mr. Lamy stated that these were occurrences that could not be avoided and required the use of overtime hours.

Returning to the agenda review, Mr. Lamy asked Jeffrey Tennyson, Deputy Superintendent of Engineering, to address the next New Business item which referred to the fuel system. Mr. Tennyson apprised that they were developing the upgraded plans and RFP for the new fuel system on an in-house basis using County staff. He noted

that a 40-page document had been produced reflecting the technical portion of the project and that the document was available for any of the Committee members wishing to review it. Mr. Tennyson stated that the project was turning out to be more difficult than initially projected and a complicated transition would be involved. He said that they had been working with the Towns to update the vehicle and user lists for the fuel system and he stated his appreciation for the cooperation they had received in identifying and correcting errors in the listings previously.

Mr. Belden questioned if the new fuel system would be installed by the close of 2009 and Mr. Tennyson replied affirmatively. He noted that the new system would serve to automate the reconciliation and billing processes used, making the system much easier to use and more accurate.

Mr. Belden then questioned why the gas prices charged at the Town of Hague fuel farm were higher than what was being charged at commercial gas stations and Mr. Lamy replied that the cost paid for fuel depended upon the amount the fuel was purchased for when the tank was filled and that amount would be paid until the tank was filled again. He noted that because the Hague fuel farm was not as frequently used as other fuel farm locations, it took longer to deplete the tank. Mr. Belden asked if fuel could be purchased from another source and Mr. Lamy replied in the negative, explaining that the fuel was purchased for all eight fuel farm locations on a State bid which included cyclic prices depending upon the current market value when the fuel was purchased. He reiterated that locations that received lesser use allowed the fuel prices to become stagnant in those locations.

In response to an inquiry regarding the billing for the current fuel system, Mr. Lamy advised that they had recently mailed the billings for the month of May and the bills for the month of June were to be released on the following day. He stated that the July billings could not be released until a reconciliation had been performed for all fuel purchased and delivered for the month. Mr. Lamy noted that they had made tremendous progress in updating the fuel system to increase its usability.

Moving on, Mr. Tennyson updated the Committee on the status of the Bridge Maintenance Projects. He said that the Bridge Maintenance crew had washed and/or sealed 40 bridges so far in 2009 and the remaining work was a little more difficult as it would require working from a boat under the bridges to reach areas requiring treatment. Mr. Tennyson then circulated photographs of the Dillon Hill and Heath Road Bridges which reflected the work being performed on each by the Bridge Crew. He pointed out that the Dillon Hill Bridge had been re-decked by County staff and the new guide rail posts had been installed. Referring to the Heath Road Bridge, Mr. Tennyson apprised that the old bridge deck had been removed by DPW forces in order for scaling and painting to be completed by an outside contractor, at which point DPW staff would replace the timber deck on the bridge.

Mr. Lamy stated that if his Department had not been afforded the opportunity to increase the engineering staff as approved by the Committee, they would not have been able to perform the volume of in-house work completed which had previously been contracted out. He added that the DPW staff had been working in the most efficient manner he had ever seen in his 13 years with the County to complete projects and save money.

The final New Business item, Mr. Lamy announced, pertained to an update on the budget preparation process. He advised that they continued to work on the budget preparation and he noted that although Ms. Johnson had completed a great deal of the work in anticipation of her impending retirement, there was more to be done. Mr. Lamy said his biggest budget concern pertained to the fact that the County's bridge and road projects required more funding than was available. He apprised that he and his staff were closely reviewing all of the upcoming projects to determine where the 2010 CHIPS (Consolidated Highway Improvement Program) funding would be best spent. Mr. Lamy stated that there were roads in remote areas of the County that required total reconstruction and he advised that the entire CHIPS budget could be expended on approximately five roads requiring this extent of work.

The other philosophy would be to take the roads that could be saved and treat them to preserve them as best they could, he noted. Mr. Lamy said that his staff was reviewing alternative technologies that could be used to repair roads while maintaining the DPW budget and those results would be analyzed to determine the best solution available. He concluded that the County's infrastructure was in bad shape and the only way to rectify the problem was to add more money to the budget, which was not available; he added that he and his staff continued to closely review projects in order to determine the best way in which to complete them as frugally as possible. Mr. Lamy stated that he expected to receive authorization to begin the bid process for the two Stony Creek bridge projects being funded by the Federal Stimulus Program within the next week; he noted that the bid had been produced by DPW staff, which had avoided the cost of having to contract the work with an outside company.

Mr. Lamy cautioned the Committee that as budgets were reduced and arrangements were being made to provide services in the most efficient manner possible, the public expected to receive all of the services provided by the DPW in the past. He said that he continued to receive requests for decreased speed limits, reduced weight limits on County roads, requests for bike lanes, requests for other traffic signs, for cross walks at every intersection in the County, requests for mirrors for blind driveways, mailboxes moved, drainage issues resolved, mowing and other such requests. Mr. Lamy noted that all of these requests required a formal response from the DPW, which required staff time to review regulations and provide responses to the requests, and the process seemed to be endless. He stated that a reduction in DPW staff, and the formation of the Bridge Crew, had compounded the problem as it had reduced the workforce available to respond to these inquiries. Mr. Lamy added that a considerable amount of experimenting had been done during the year in using staff across departmental lines to accomplish all of the duties required of the Public Works Department as a whole. He said that at the end of the construction season, they would review the efforts to determine whether they should be continued in the future, or if other arrangements should be made in order for the Department to function more efficiently.

Discussion ensued.

Concluding the review of the DPW agenda, Mr. Lamy reviewed the listing of items pending from prior Committee meetings which he outlined as follows:

1. Mr. Tennyson advised that the Corinth Road Project was progressing nicely and he noted that a meeting had been scheduled between the County and the Town of Queensbury, along with their respective consultants, to discuss the status of the Project. He said it appeared that the last thing for the County to do was to sign the Betterment Agreement with the Town of Queensbury and the legal counsel for both the Town and County were working together to establish the details of the Agreement. Mr. Lamy stated that the County's project consultant, Clough, Harbour & Associates, had submitted plans and specifications to NYSDOT (New York State Department of Transportation), along with requests for Federal authorization to begin the bid process for the Project. He said that the right-of-way (ROW) portion of the project was not yet complete and they expected it to be finished within the following week or so and this was the last remaining element to be attained before achieving Federal authorization. Mr. Lamy stated that he felt they would meet the deadlines imposed to retain Federal funding, allowing for the project to continue. Mr. Tennyson apprised that he and Kevin Hajos, Senior Civil Engineering, would be speaking at that evening's City of Glens Falls Common Council Meeting to brief City officials on the work to be completed for the portion of the Project located within the City of Glens Falls;
2. The Budget Performance Report was not addressed as updates were required on a quarterly basis;
3. No update was provided respective to NYSDEC (New York State Department of Environmental Conservation) requests for work at Scaroon Manor;
4. No update was provided respective to NYSDEC violation citations at the North Creek fuel farm;



5. No update was provided respective to the institution of a Stormwater Officer position. Mr. Lamy noted that earlier in the meeting it was determined that a pending item should be added regarding the possibility of combining the Stormwater Officer and Hazard Mitigation Coordinator positions to create one full-time position that would address the duties of both positions;
6. Respective to the Milton Street bridge repairs, Mr. Tennyson apprised that all documentation had been submitted to the State and they were awaiting authorization to proceed with the repair project. Mr. Lamy noted that once the State approval was received they would advertise for construction bids in connection with the project. Mr. Belden questioned whether the project would begin during the upcoming fall season and Mr. Lamy replied that it could, depending on the approval and bid process. He added that they were awaiting notification as to the availability of State Marchiselli funding and he would keep the Committee apprised of the issue. Mr. Tennyson said that the project would be limited by the in-water permit which would normally allow them until the end of September to complete any work requiring access from the water itself. He added that he anticipated the bid process and the removal of the existing superstructure to be completed in the fall of 2009 with the abutment work to begin in the spring of 2010;
7. No update was provided respective to the Middleton Bridge;
8. Mr. Lamy apprised that they had done some paving for the City of Glens Falls and were planning on doing more. He said that Brian Humphrey, Deputy Superintendent of Highways, was working with City of Glens Falls DPW officials to determine whether they would be willing to transport blacktop materials to City paving projects being performed by the County to reduce paving costs.

Mr. Goodspeed announced that on July 7<sup>th</sup> Mr. Tennyson and NYSDOT representatives had held a public information workshop in the Town of Johnsbury regarding a future bridge project. He said that they did an excellent job in presenting information and answering questions and he thanked them for their efforts. Mr. Goodspeed noted that during the workshop a resident had questioned the total cost for the bridge project and had been advised that it would be approximately \$1.2 million; as a point of interest, he added, he had questioned what the total for the project would be if they were not required to pay prevailing wage rates and had found that it would be in the neighborhood of \$500,000, which he found very interesting.

Mr. Stec thanked Mr. Tennyson for the assistance he had provided in connection with NYSDEC inspections for Town and County facilities. He then noted that if the County had any millings available in the vicinity of the intersection of West Mountain and Luzerne Roads, the Town of Queensbury would be interested in acquiring them to resurface and improve a dirt road in the cemetery located at the intersection. Lastly, Mr. Stec advised that payment had yet to be received from the County for the shoulder paving machine the County had purchased from the Town and he asked that the funds be forwarded.

As there was no further DPW business to present, Mr. Belden announced that the Committee would take a short break before beginning the Parks, Recreation & Railroad portion of the meeting.

The Committee recessed from 10:49 a.m. to 11:00 a.m.

Upon reconvening privilege of the floor was extended to Mr. Butler to begin the Parks, Recreation & Railroad portion of the meeting. Mr. Butler distributed copies of the agenda to the Committee members, a copy of which is also on file with the minutes.

Mr. Butler announced that Agenda Item 1 consisted of a request for a new contract with Lyme Adirondack Timberlands II, LLC in the amount of \$3,120 for the use of snowmobile trails in the Town of Hague for the term

commencing December 1, 2009 and terminating November 30, 2010. He explained that this was a three-mile trail that did not transfer with the previous New York State easement and that the County had been approving a similar resolution annually for a considerable number of years. Mr. Butler noted that the contract cost had previously been in the neighborhood of \$3,500; however, he said, because the trail had been reduced by the New York State easement, the Lyme Adirondack Timberlands II, LLC had determined that the contract price should be decreased commensurately. He added that the funds were available within the existing budget.

Mr. Bentley questioned whether Mr. Butler had researched the location of the trail to determine whether it was a qualified abandoned highway and Mr. Butler replied that although he did not have a map on hand, he did not believe the trail was a highway and that it was a trail through the woods. He advised that if the Committee desired he would bring a map to the next meeting detailing the trail to ensure that it was not an abandoned highway.

It was the consensus of the Committee that the request should be presented again at the next Committee meeting along with a map reflecting the status of the trail and advising whether or not it was considered a qualified abandoned highway.

Mr. Merlino apprised that the South Warren Snowmobile Club had recently been advised by the Lake George Land Conservancy (LGLC) that since the State would not purchase land from them they intended to start charging the Club for use of their property as they had a \$44,000 per quarter financing clause. He said that it would cost the Club \$12,000 per year to use the 7.9 miles of trails on LGLC property and if they did not pay, there would be no access to Lake George. Mr. Merlino stated that he was not seeking additional funding on behalf of the Snowmobile Club but wanted the information to be on the record as he felt the matter was atrocious.

Moving along, Mr. Butler presented Agenda Item 2A which included a request from Jeremy Hammond, Co-Founder of the Adirondack Paranormal Society, who was seeking to use a section of the Warren County Bikeway between Glen Lake Road and Route 9 for one night sometime between the dates of August 22<sup>nd</sup> and September 30<sup>th</sup> from 10:00 p.m. and 2:00 a.m. for a paranormal investigation. He explained that the investigation would involve approximately 20 people using audio, video and light equipment to perform their research. Mr. Butler said he had advised that the Warren County Sheriff's Office should be notified of the details of the event, if use was approved by the Committee, in order to prepare for any possible resident inquiries. He concluded that the matter had to be reviewed and approved through resolution of the Board of Supervisors as Local Law No. 2 of 1984 stated that "the facility shall be closed to any and all public use of any kind between the hours of sunset and sunrise except as shall be otherwise provided by Resolution of the Warren County Board of Supervisors".

Mr. Belden questioned if after hours use such as this had been approved in the past and Mr. Butler said that he did not recall such use.

Motion was made by Mr. Stec, seconded by Mr. Pitkin and carried by majority vote, with Messrs. Champagne and Tessier voting in opposition, to authorize after hours use of the Bikeway property by the Adirondack Paranormal Society as outlined above, contingent upon the County Attorney's review and approval of the appropriate insurance documentation and provided that both the Sheriff's Office and area residents were notified of the event, and the necessary resolution was authorized for the August 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Butler advised that Agenda Item 2B referred to changes made to the Right-of-Way Private Use Licensing Agreement for the Bikeway pursuant to the request presented at the prior month's Committee meeting for use of the Bikeway property by Cooper's Cave Ale Company, Ltd. He explained that all of the changes to the Licensing Agreement had been very slight and were made by the County Attorney; he added that he had a copy of the

Agreement highlighting the changes which was available to any of the Committee members wishing to review them. When questioned as to whether a resolution was necessary to approve the changes, Joan Sady, Clerk of the Board, replied in the negative, noting that Resolution No. 365 of 1997 authorized the Private Use Licensing Agreement and only Committee consent was necessary to approve any revisions to the Agreement.

It was the consensus of the Committee to approve the revisions to the Right-of-Way Private Use Licensing Agreement for the Bikeway property.

Continuing, Mr. Butler addressed Agenda Item 3A which pertained to a request for authorization to submit an application to the Charles R. Wood Foundation for up to \$28,318 in grant funding for the Up Yonda Farm. He advised that although the deadline for the grant application was September 2, 2009, the application had already been completed and would be submitted by August 22<sup>nd</sup>.

Motion was made by Mr. Bentley, seconded by Mr. Stec and carried unanimously to approve the request as outlined above and the necessary resolution was authorized for the August 21<sup>st</sup> Board meeting. *A copy of the request is on file with the minutes.*

Mr. Belden noted that Agenda Item 3B pertained to a review of the budget for Up Yonda Farm and discussion on a proposed fee increase. He reminded the Committee members that at a prior meeting they had determined that no County contribution would be made to the Up Yonda budget for 2010 and that the contribution from the Up Yonda Trust was insufficient to support the 2010 budget. Mr. Payne advised that a letter had been sent to Glens Falls National, who administered the Up Yonda Trust, advising them of the County's decision to cease all funding to the Up Yonda Farm and that they might be required to resume control of the property. He said that Glens Falls National had many options within the Trust for the future of the Up Yonda Farm, including the option to sell the property and divide the proceeds amongst three different organizations within the community.

When questioned as to the shortfall that would occur in 2010, Mr. Payne apprised that they expected a shortfall of approximately \$18,000. Mr. Lamy apprised that a proposal had been developed to offset the anticipated shortfall and he directed the Committee members to the portion of the agenda reflecting a chart outlining the 2010 Up Yonda Budget. He stated that an increase of \$1 per ticket for parking fees would generate approximately \$8,250 and the balance of the shortfall could be offset by reducing expenditures as portrayed in the column identified as "2010 Budget w/Fee Increase". Mr. Lamy advised that these measures would allow for the retention of three staff members and appropriate funding to cover salary and fringe benefit costs for those employees.

Referring to the chart included in the agenda, Mr. Goodspeed pointed out that it appeared that the salaries would increase for 2010 as compared to the 2009 figures. Mr. Lamy replied that this was because the figures for 2009 did not reflect any fringe benefits, while the 2010 figures did. He then confirmed that no increase in salary had been included for the 2010 Up Yonda budget.

Mr. Belden stated his fear that by raising Up Yonda fees they would deter attendance and participation at the facility. Mr. Lamy replied that if this turned out to be the case they would have to revisit the issue in 2010 to further reduce the budget commensurate with the decrease in revenues.

As the facility was located in the Town of Bolton, Mr. Strainer questioned whether Mrs. Simmes, Supervisor for the Town of Bolton, had been made aware of the lack of funding, as her Town might be willing to raise some of the funds necessary to maintain operations at Up Yonda. Mr. Lamy responded that he did not know if Mrs. Simmes was aware of the issue. Mr. Belden noted that the facility was closed on Sundays and he questioned why this day was

chosen as it seemed that they would receive more visitors on that day than during the week. Mr. Butler replied that subsequent to a review of attendance records, they had found that Sunday was the day with the lowest level of attendance; therefore, he said, they had chosen to close the facility on Sundays. He added that they also had to consider days off and leave time for staff members which worked best in connection with a Sunday closure.

Discussion ensued.

Mr. Goodspeed noted that in a recent presentation, Cornell Cooperative Extension (CCE) had advised that they were reviewing the opportunities to merge the efforts of several Counties to function as one extension service to save money and he asked if there was an opportunity to interface in this manner at Up Yonda. Mr. Butler said that he was unaware if these opportunities existed but noted that he would research the matter.

Mr. Belden questioned the status of repairs to the damaged portion of the railroad tracks and Mr. Lamy replied that although the repairs were progressing, they were not yet complete and the tracks had not been reopened. He explained that since the last Committee meeting, County forces had completed the work to replace the fill under the tracks and he had contacted Upper Hudson River Railroad (UHRR) to inquire as to their willingness to replace the tracks for less than the \$7,500 contractor obligation fee listed in the Railroad Operator Contract held between the County and UHRR. Mr. Lamy apprised that although UHRR had initially refused to do the work for less than \$7,500, they had since agreed to do the work for that price, provided that the County would provide any additional ballast required at the site. He advised that the remaining work to be performed by UHRR included replacement of railroad ties and compaction, as well as the horizontal and vertical alignment of the tracks, subsequent to which CHA would provide the final inspection necessary to re-open the tracks. Mr. Lamy stated that UHRR had already transported their equipment to the site and had begun work to replace the tracks, which he anticipated would be completed by the end of the week. He concluded that he was very proud of the efforts of his staff who had completed a large part of the railroad track repairs, thereby turning what had been estimated as a very costly project into a reasonably priced repair effort.

Mr. Goodspeed extended his appreciation to Mr. Lamy and his staff for working diligently to make the track repairs while saving the County a considerable amount of money. He said that he was also appreciative of UHRR's decision to replace the tracks as part of their contract cost.

Concluding the agenda review, Mr. Butler proceeded with a review of the items pending from prior Committee meetings, which he detailed as follows:

1. As the status of repairs to the damaged section of railroad tracks had been previously addressed and the matter was resolved, Mr. Butler said that the item could be removed from the pending items list;
2. Mr. Butler advised that he had no update with respect to whether expended State and Federal grant funds would have to be returned if the repairs to the railroad tracks were not made. However, he noted, since the repairs were being completed, he felt this was no longer an issue and asked that the item be removed from the pending items list;
3. Respective to discussion tabled on the approval of changes to the verbiage of the 1,000 Acres Ranch Resort easement agreement for the proposed Stony Creek platform, Mr. Butler stated that the County Attorney's Office had yet to advise him of their research regarding alternate possibilities for the railroad property. He said that he would advise the Committee when an update was received. Mr. Stec noted that he would still like to know what the repercussions to the County might be in terms of the grant funding expended if they chose not to continue operation of the railroad;
4. Mr. Butler apprised that he had no update to provide with respect to the transfer of the Kellogg Property from OSI (Outdoor Space Institute) to the County as the County Attorney's Office

continued to await NYSDEC documentation reflecting their approval of previous underground tank removal work performed on the site;

5. Mr. Lamy advised that in researching matters relating to the operation of the Fish Hatchery they had found an angler survey completed by NYSDEC in 2007 which showed that within Warren County \$13.8 million was spent annually on the fishing industry, which generated \$414,000 of sales tax revenue to the County. Additionally, he said that when reviewing fishing visits and money spent, Counties within the State that operated fish hatcheries boasted higher income figures than those without them. Mr. Lamy noted that he had reviewed the matter with Kate Johnson, Tourism Director, who indicated that there might be an opportunity for \$25,000 of Occupancy Tax funding to be used to subsidize operations at the Fish Hatchery.

Chairman Monroe reported that Paul Dusek, County Attorney, had attended a meeting with NYSDEC and the Office of General Services (OGS) to explore the possibility of the organizations assisting with funding for the Fish Hatchery. He said that Mr. Dusek had felt this was a good meeting and noted that NYSDEC and OGS had specifically noted the possibility of gaining Federal Stimulus money to support operations at the Hatchery. Chairman Monroe added that the OGS representative had noted the availability of \$100,000 in penalty fees that were paid by National Grid in connection with a power line run under Lake Champlain without the necessary permits which also might be accessed. He said that he had discussed the availability of these funds with Assemblywoman Sayward who was pursuing these funds from both NYSDEC and OGS. Chairman Monroe stated that he was unsure what the outcome would be but was pleased that both avenues were being actively addressed.

Mr. Merlino said that he supported the continued operation of the Fish Hatchery and thought they should pursue any available funds to assist this effort. Mr. Pitkin said that he agreed with Mr. Merlino's statements and added that they should continue to operate as efficiently as possible to reduce and maintain expenses.

Discussion ensued.

Mr. Belden questioned if figures were available to reflect the amount of income received for rental of the Warren County Fairground property. He stated his opinion that he would prefer to keep the Fish Hatchery and to sell the Fairground property as he felt that it was more of an expense and liability to the County than a revenue producing property. Mr. Butler estimated that the cost to maintain the Fairground property was in the range of \$10,000 to \$12,000 annually including maintenance, electrical and staff overtime costs for events. He noted that as per NYSDOH (New York State Department of Health) regulations, they were required to test the water at the Fairground site daily during events held there, which incurred overtime costs for weekend events. Mr. Butler added that there also had to be a staff member on-call and available to report to emergency situations occurring during events held on the property, which also incurred overtime expenses.

Mr. Bentley questioned why the water at the Fairgrounds had to be tested since it was connected to the Town of Warrensburg's water source and Mr. Butler replied that because the property was designated as a "fairground" the water had to be tested as per NYSDOH regulations regardless of whether the property had a private or public water source.

Subsequent to further discussion on the matter, it was determined that Mr. Lamy should contact NYSDOH to gain further information as to water testing requirements, as well as whether an alternate designation could be given to the Fairground property which would eliminate the need to test the water for events, based on the fact that a Town water source was utilized at the site.

In response to an inquiry as to the amount charged for use of the Fairground property, Mr. Butler advised that a charge of \$150 per day was instituted for large events and \$25 per day for smaller events, basically for bathroom use and parking. Mr. Geraghty questioned whether the usage charges for the property covered the overtime costs incurred during weekend and after-hours events and Mr. Butler replied in the negative. Mr. Butler stated that in recent years the Fairground usage fee had been decreased from \$350 to \$150 per day in an effort to encourage increased use.

Referring to the Kellogg Property to be acquired by the County from OSI, Mr. Goodspeed suggested that an agreement be developed between the Town of Johnsbury and the County which would transfer management of the property to the Town of Johnsbury. He said that this would allow for the property to be maintained by local Town of Johnsbury staff, rather than requiring Parks, Recreation & Railroad staff to travel to the property for upkeep and maintenance duties. Mr. Goodspeed stated that the Town of Johnsbury currently supported an active concert series and farmer's market on the property which had drawn far more participants than initially anticipated; therefore the property was valuable to the Town. He noted that this would present an attractive opportunity for the County which would allow for the maintenance of the Kellogg Property by the Town at no cost to the County and he asked the Committee members to consider this notion when the property transfer to the County was completed.

As there was no further business to come before the Public Works Committee, on motion made by Mr. Stec and seconded by Mr. Bentley, Mr. Belden adjourned the meeting at 11:55 a.m.

Respectfully submitted,  
Amanda Allen, Sr. Legislative Office Specialist